

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

FILED
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2008 OCT 29 A 8 33

UNITED STATES OF AMERICA)

Case No.

v.

VIOLATION:

18 U.S.C. § 371 (Conspiracy)

STEPHEN WATT)

Defendant.)

U.S. DISTRICT COURT
DISTRICT OF MASS.

08 CR 10318 NG

INFORMATION

COUNT ONE

(Conspiracy)

18 U.S.C. § 371

The U.S. Attorney charges that:

1. From approximately 2003 through 2008, in the Southern District of Florida, the Southern District of New York, the District of Massachusetts and elsewhere,

STEPHEN WATT,

and others known and unknown to the U.S. Attorney, did willfully conspire to commit the following offenses against the United States:

- a. Unlawful Access to Computers (18 U.S.C. § 1030(a)(2)(C)) – by means of interstate communications, intentionally accessing without authorization computers, which were used in interstate commerce, and thereby obtaining information from those computers, including credit and debit card information, for the purposes of commercial advantage and private financial gain;
- b. Access Device Fraud (18 U.S.C. § 1029(a)(3)) – knowingly and with

intent to defraud, possessing at least fifteen unauthorized access devices,
to wit: stolen credit and debit card numbers;

- c. Wire Fraud (18 U.S.C. § 1343) – having devised and executed a scheme to defraud, and to obtain money and property by means of false and fraudulent pretenses, representations, and promises, transmitting and causing to be transmitted, in interstate commerce, wire communications, including writings, signals and sounds, for the purpose of executing the scheme to defraud;
- d. Aggravated Identity Theft (18 U.S.C. § 1028A) – knowingly transferring, possessing and using without lawful authority, a means of identification of other persons – to wit: credit and debit card account numbers of individuals – during and in relation to the commission of wire fraud (in violation of 18 U.S.C. §1343);
- e. Money Laundering (18 U.S.C. § 1956(a)(1)(B)(i) and (a)(2)(B)(i)) – knowing that the financial transactions, transmittals and transfers were designed in whole and in part to conceal and disguise the nature, location, source, ownership, and control of the proceeds of specified unlawful activity and that the property involved in the financial transactions represented the proceeds of some form of unlawful activity, (i) knowingly conducting and attempting to conduct financial transactions affecting interstate and foreign commerce, which involved the proceeds of said specified unlawful activity, and (ii) knowingly transmitting and

transferring funds from a place inside the United States to and through a place outside the United States and to a place inside the United States from and through a place outside of the United States.

Manner and Means of the Conspiracy

2. WATT and his co-conspirators, known and unknown to the U. S. Attorney, employed the following manner and means and others in furtherance of the conspiracy:
 - a. The conspirators unlawfully gained electronic access to corporate computer networks using various techniques;
 - b. The conspirators downloaded from those computer networks customers' credit and debit card information;
 - c. The conspirators fraudulently used the credit and debit card information to obtain cash advances and sold the information to others for fraudulent use by them; and
 - d. The conspirators moved money through Internet currency exchanges and bank accounts in Latvia to conceal and disguise the nature, location, source, ownership and control of the proceeds of this activity.

Overt Acts

3. In furtherance of the conspiracy and to effect its objects, WATT and his co-conspirators committed the following overt acts, among others:
 - a. On diverse dates, WATT modified for Albert Gonzalez and provided to him a sniffer program used by the conspirators to monitor and capture data traveling across corporate computer networks.

b. In January, 2008, Watt edited the "blabla" sniffer utilized by the conspirators, which was stored in a server assigned the ip address 195.3.144.9, located in Latvia.

MICHAEL J. SULLIVAN
United States Attorney

By:


STEPHEN P. HEYMANN
Assistant U.S. Attorney

DATE: October 29, 2008